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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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CRESSALYN EVANS,  
  
Plaintiff,

v.

CENTURY LINK CORPORATION,  
  
Defendant.

MEMORANDUM DECISION and ORDER  
ADOPTING REPORT &  
RECOMMENDATION

Case No. 2:12-CV-343-DN-PMW

District Judge David Nuffer  
Magistrate Judge Paul M. Warner

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This case was referred to Magistrate Judge Paul M. Warner under 28 U.S.C. § 636(b)(1)(B).<sup>1</sup> On March 8, 2013, Judge Warner issued a Report & Recommendation (R&R)<sup>2</sup> recommending that this court: (1) DENY Plaintiff Evans's motion for leave to amend the original complaint; and (2) GRANT Defendant's motion to dismiss the original complaint, and render MOOT Defendant's motion to dismiss the proposed amended complaint.<sup>3</sup>

The parties were notified of their right to file objections to the R&R within 14 days after receiving it.<sup>4</sup> No objections to the R&R were filed or received by the court.

The court has conducted a *de novo* review of the issues and agrees with Judge Warner's analysis, conclusions and recommendations. Accordingly, the R&R is adopted as the order of this court.

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<sup>1</sup> Order Referring Case, docket no. 8, filed May 22, 2012.

<sup>2</sup> Docket no. 21, filed March 8, 2013.

<sup>3</sup> *Id.* at 13.

<sup>4</sup> *Id.*

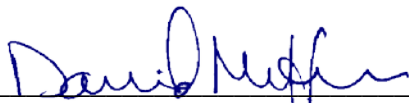
ORDER

IT IS HEREBY ORDERED that the R&R<sup>5</sup> is ADOPTED as the order of the court.

IT IS FURTHER ORDERED that Evans's motion to amend the complaint is DENIED,<sup>6</sup> Defendant's motion to dismiss the original complaint is GRANTED,<sup>7</sup> and Defendant's motion to dismiss the amended complaint is MOOT.<sup>8</sup>

Signed March 26, 2013.

BY THE COURT

  
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District Judge David Nuffer

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<sup>5</sup> Docket no. 21.

<sup>6</sup> Request to Amend Complaint, docket no. 11 filed May 24, 2012.

<sup>7</sup> Motion to Dismiss, docket no. 4, filed April 17, 2012.

<sup>8</sup> Motion to Dismiss Amended Complaint, docket no. 16, filed June 11, 2012.